

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

WILLIAM H. CHISM, III,
Plaintiff,
v.
CHANG, et al.,
Defendants.

No. 2:20-CV-1072-DJC-DMC-P

ORDER

Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to Eastern District of California local rules.

On July 23, 2024, the Magistrate Judge filed findings and recommendations herein which were served on the parties, and which contained notice that the parties may file objections within the time specified therein. Timely objections to the findings and recommendations have been filed.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304(f), this Court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the Court finds the findings and recommendations to be supported by the record and by proper analysis. While the Court is concerned about the justification for the unclothed search given the time that had passed since the

1 alleged assault originally took place, it is undisputed that Defendants Domingo and
2 Cross were following what they understood to be standard protocol for investigations
3 into allegations of sexual assault, and there is no information to suggest they were told
4 of the date when the alleged sexual assault occurred. (See Defs.' Statement of
5 Undisputed Facts in Support of Mot. for Summ. J. (ECF No. 43-2), Facts 7 and 12.)

6 Accordingly, IT IS HEREBY ORDERED as follows:

- 7 1. The findings and recommendations filed July 23, 2024, ECF No. 57, are
8 adopted in full.
- 9 2. Defendants' motion for summary judgment, ECF No. 43, is granted.
- 10 3. All other pending motions, ECF Nos. 54 and 55, are denied as moot.
- 11 4. The Clerk of the Court is directed to enter judgment and close this file.

12
13 IT IS SO ORDERED.

14 Dated: **September 29, 2024**


Hon. Daniel J. Calabretta
UNITED STATES DISTRICT JUDGE